

SAMUEL F. JOHNSON.

MAY 26, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. WARNER, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany H. R. 4542.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4542) granting an increase of pension to Samuel F. Johnson, have examined the same and the evidence relating thereto and respectfully report:

This bill as amended proposes to increase from \$12 to \$40 per month the pension of Samuel F. Johnson, of Bloomington, Ill., who was mustered into service December 21, 1863, as major Fifty-second Kentucky Volunteer Infantry, and as lieutenant-colonel, same regiment, to date March 3, 1864, and mustered out of service as a lieutenant-colonel January 18, 1865. Under the provisions of the act of Congress approved June 3, 1884, and the acts amendatory thereto, he is regarded by the War Department as commissioned to the grade of lieutenant-colonel to date from February 17, 1864. He was mustered into service as colonel of the Seventeenth Kentucky Volunteer Cavalry April 25, 1865, and was mustered out of service as colonel September 20, 1865.

The testimony of the surgeon of the Fifty-second Kentucky Infantry shows that in the winter of 1863-64 claimant was severely ill with congestion of the brain, and apparently some congestion of the lungs. There is some evidence indicating that he had partial paralysis while in the service, but that is not well established. It is shown, however, that he has been affected by partial paralysis since 1867.

He filed a claim December 23, 1881, under the general law, alleging paralysis of left side as a result of congestion of the brain in the service, and after special examination it was rejected, legally, on the ground that—

It is apparent that the claimant has furnished the best evidence obtainable, and such evidence in connection with that taken by special examiner is considered incompetent to prove that his disability originated in the service and line of duty.

At the time the claim was rejected, as above stated, there was before

the legal reviewer who rejected it a slip signed by the medical examiner, medical reviewer, and approved by the medical referee, of which the following is a copy:

There can be no doubt but that the partial paralysis now found is the result of the congestion of brain from which the Major suffered in the service.

After the rejection, which amounted to simply the Scotch verdict of "not proven," the evidence was carefully analyzed in a slip and attention called to the medical opinion above alluded to, and the claim was reopened, and in March, 1896, it was legally approved for "congestion of brain. Paralysis of left side alleged as a result, shown by evidence since about 1867, to medical referee."

The medical action was as follows:

Approved for rejection of congestion of brain; ratable disability is not shown since filing. Paralysis of left side, first shown in 1867, can not be accepted as a result of the "congestion of brain," during an acute attack of illness (probably pneumonia) in February, 1864.

Claimant is pensioned under the act of June 27, 1890, at \$12 per month for disease of heart and partial paralysis of left side.

Examination at Atchison, Kans., April 15, 1891, rated him seventeen-eightieths for partial hemiplegia, and eight-eightieths for age.

At his last examination by medical board, March 7, 1894, the board stated that claimant was so disabled as to be incapacitated for performing any manual labor.

Evidence filed with this committee shows that he is now 73 years of age; that he is totally disabled for labor, and has no property, income, or means of support except his pension.

That this soldier is entitled to a pension of at least \$40 per month can not be doubted seriously. It is a most meritorious and deserving case, and the bill is reported back with the recommendation that it pass when amended as follows:

In line 4 strike out "increase the pension," and insert in lieu thereof the words "place on the pension roll the name of."

In line 6 strike out "of fifty," and insert in lieu thereof the words "at the rate of forty."

RECORD AND PENSION OFFICE, WAR DEPARTMENT,
Washington City, February 16, 1897.

SIR: Referring to your letter of yesterday, received to-day, in which you request to be furnished with the military record of Col. Samuel F. Johnson, late of the Seventeenth Kentucky Volunteer Cavalry, I have the honor to inform you that the official records show as follows:

Samuel F. Johnson was mustered into service December 21, 1863, as major, Fifty-second Kentucky Infantry Volunteers, to serve one year, and as lieutenant-colonel, same regiment, to date March 3, 1864; and was mustered out of service as lieutenant-colonel, with the field and staff of the regiment, January 18, 1865. Under the provisions of the act of Congress approved June 3, 1884, and the acts amendatory thereof, he is regarded by this Department as commissioned to the grade of lieutenant-colonel Fifty-second Kentucky Volunteers, to take effect from February 17, 1864.

Samuel F. Johnson was mustered into service as colonel Seventeenth Kentucky Cavalry Volunteers, April 25, 1865, to serve one year, and was mustered out of service as colonel, with the field and staff of the regiment, September 20, 1865.

He is not reported absent from his commands at any time during his periods of service.

Very respectfully,

F. C. AINSWORTH,
Colonel, United States Army, Chief Record and Pension Office.

Hon. V. WARNER,
House of Representatives.

STATE OF ILLINOIS, *County of McLean, ss:*

In the matter of special act pension claim of Samuel F. Johnson, late colonel of Seventeenth Regiment Kentucky Cavalry Volunteers.

Before me, a notary public, a duly authorized officer in and for said county and State, personally appeared H. C. Boyce, aged 64 years, a resident of Bloomington, county of McLean, State of Illinois, and well known to me to be reputable and entitled to credit, and who, being by me duly sworn according to law in relation to the above-named pension claim, did declare as follows:

I am well acquainted with Col. Samuel F. Johnson, and I know that now he is very poor, without means, and in very poor health, and on account of his advanced age and broken health he is unable to work or earn his living by manual labor. He is now about 73 years of age.

I further declare that I have no interest in said pension claim and am not concerned in its prosecution, and that my post-office address is Bloomington, county of McLean, State of Illinois.

H. C. BOYCE.

Sworn and subscribed before me this day by the above-named affiant; and I hereby certify that the contents of the above affidavit were fully made known and explained to the affiant before he executed the same, and that I have no interest, direct or indirect, in the prosecution of this claim.

Witness my hand and official seal this 13th day of May, 1898.

[SEAL.]

E. M. HAMILTON, *Notary Public.*

STATE OF ILLINOIS, *County of McLean, ss:*

In the matter of special act pension claim of Samuel F. Johnson, late colonel of Seventeenth Regiment Kentucky Cavalry Volunteers.

Before me, a notary public, a duly authorized officer in and for said county and State, personally appeared C. T. McCarty, aged 67 years, a resident of Bloomington, county of McLean, State of Illinois, and well known to me to be reputable and entitled to credit, and who, being by me duly sworn according to law in relation to the above-named pension claim, did declare as follows:

I am well acquainted with Col. Samuel F. Johnson, and I know that he is in very poor financial circumstances, and has no means of support in the way of property of any kind, and on account of his advanced age and poor health he is not able to work to earn a livelihood. He is over 73 years of age.

I further declare that I have no interest in said pension claim, and am not concerned in its prosecution, and that my post-office address is Bloomington, county of McLean, State of Illinois.

C. T. MCCARTY.

Sworn and subscribed before me this day by the above-named affiant; and I hereby certify that the contents of the above affidavit were fully made known and explained to the affiant before he executed the same, and that I have no interest, direct or indirect, in the prosecution of this claim.

Witness my hand and official seal this 14th day of May, 1898.

[SEAL.]

E. M. HAMILTON, *Notary Public.*

BLOOMINGTON, ILL., *February 9, 1897.*

MY DEAR SIR: Col. Samuel F. Johnson of this city desires that a bill be introduced in Congress giving him a special pension. Colonel Johnson I have known for many years. He was a brave and gallant soldier during the war. He lived in the State of Kentucky at the time and recruited the Seventeenth Kentucky Cavalry, and had been in the active military service of the Government for three years previous to this time. He made great sacrifices for his country, both in time, money, and property. In fact, living as he was at the time, in the midst of the enemy's country, his property was all swept away. I doubt if any man has a better military record than Colonel Johnson. He was loyal and courageous in a high degree. He is drawing a small pension of \$12 per month under the last pension law enacted by Congress. His many friends here would be exceedingly gratified if you would prepare a bill giving him a special pension for, say, \$50 per month. This would, indeed, be a small remuneration for the service he rendered his country, and would brighten the declining years of his life by lessening the hardships which he now endures. To

add to the Colonel's other troubles, his wife, an aged lady, is an invalid, and practically helpless.

Hoping you will look after this matter,

I am, yours, very truly,

Col. V. WARNER, *Washington, D. C.*

JOSEPH W. FIFER.

I concur in everything Governor Fifer says.

J. H. ROWELL.

BLOOMINGTON, ILL., *May 3, 1898.*

DEAR SIR: Col. Samuel F. Johnson, formerly colonel of the Seventeenth Kentucky Cavalry Volunteers, called to see me. He states that ex-Governor Fifer wrote you some time ago in regard to getting a special act through to give him a pension of \$30 per month, I think it was, and that you had said you would do what you could for him. He also wished me to send the inclosed letter. The Colonel is now drawing a small pension, I think of \$8, under the new law, but he is now old, feeble, and very poor financially. I really think from the great service he rendered the Union during the dark days in Kentucky that he should be kindly remembered. I do not know, but I am inclined to think you may know of him and what he did during the war. He was a loyal Kentuckian and raised a regiment, I understand, at his own expense, and from his great knowledge of the region where he operated, there being no troops to aid him, he was a force in keeping Kentucky in the Union. He was a perfect terror to the guerrillas and disloyal people, and over and over again, by the terror of his name and the promptness with which he executed marauders and rebel ruffians, he saved lots of Government property and railroads from being torn up, as well as the lives of many Unionists who would have been murdered.

His history has been an eventful one, and I trust that now he is in need something may be done for him in his declining years.

Respectfully, yours,

Hon. V. WARNER, M. C.

E. M. HAMILTON.

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